

Vernon Company has 1,400 employees and has annual sales of \$250 million. No one better knows the problems facing small business today than someone who has been involved in a family-owned business for the past 20 years.

When Fred Hochberg appeared before the Senate Small Business Committee earlier this month for his confirmation hearing, he told the Committee "I understand what American entrepreneurs put into their enterprises: the seven-day weeks, the hard work and sweat equity—because that's where I come from. I intend to bring these values to my work at the SBA." Now he will bring the talent, experience and hard work to lead the SBA and its wide array of programs into the 21st century.

I congratulate the President for this nomination. I thank Chairman BOND and Majority Leader LOTT for agreeing to bring this nomination before the Senate. And I look forward to Fred Hochberg's arrival at the Small Business Administration where I believe he will make a very considerable contribution to the small businesses of our nation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NOS. 105-47 AND 105-48

Mr. ENZI. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed in the following treaties transmitted to the Senate on May 22, 1998, by the President of the United States:

No. 1, the Treaty with Czech Republic on Mutual Legal Assistance in Criminal Matters, Treaty Document No. 105-47;

No. 2, the Inter-American Convention on Sea Turtles, Treaty Document Number 105-48.

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations, and ordered to be printed; and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Czech Republic on Mutual Legal Assistance in Criminal Matters, signed at Washington on February 4, 1998. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of crimes, including terrorism, other violent crimes, drug trafficking, money laundering, and other "white-collar" crime. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: locating or identifying persons or items; serving documents; taking testimony or statements of persons; transferring persons in custody for testimony or other purposes; providing documents, records, and articles of evidence; executing requests for searches and seizures; immobilizing assets; assisting in proceedings related to forfeiture of assets, restitution, and criminal fines; and providing any other assistance consistent with the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 22, 1998.

To The Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Inter-American Convention for the Protection and Conservation of Sea Turtles, with Annexes, done at Caracas December 1, 1996, (the "Convention"), which was signed by the United States, subject to ratification, on December 13, 1996. I also transmit, for the information of the Senate, the report of the Secretary of State with respect to the Convention.

All species of sea turtles found in the Western Hemisphere are threatened or endangered, some critically so. Because sea turtles migrate extensively, effective protection and conservation of these species requires cooperation among States within the sea turtles' migratory range. Although the international community has banned trade in sea turtles and sea turtle products pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention I am transmitting is the first multilateral agreement that actually sets standards to protect and conserve sea turtles and their habitats.

In section 609 of Public Law 101-162, the Congress called for the negotiation of multilateral agreements for the protection and conservation of sea turtles. In close cooperation with Mexico, the United States led a 3-year effort to negotiate the Convention with other Latin American and Caribbean nations. Once ratified and implemented, the Convention will enhance the conservation of this hemisphere's sea turtles and harmonize standards for their protection.

I recommend that the Senate give early and favorable consideration to the Convention and give its advice and consent to its ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 22, 1998.

AUTHORIZING THE FLYING OF THE POW/MIA FLAG

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 99 submitted earlier today by Senator LOTT.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 99) authorizing the flying of the MIA/POW flag.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. ENZI. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution was agreed to.

The concurrent resolution (S. Con. Res. 99) reads as follows:

S. CON. RES. 99

Resolved by the Senate (the House of Representatives concurring). That, for the purpose of section 1082(b)(1)(B) of the National Defense Authorization Act for Fiscal Year 1998, the display of the POW/MIA flag at the Capitol shall begin at 6:30 p.m. on Sunday, May 24, 1998. As used in this section, the term "POW/MIA flag" has the same meaning as in section 1082 of such Act.

SEC. 2. The architect of the Capitol may prescribe regulations with respect to the first section of this resolution.

ORDERS FOR MONDAY, JUNE 1, 1998

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment under the provisions of S. Con. Res. 98.

I further ask that when the Senate reconvenes on Monday, June 1st, immediately following the prayer the routine requests through the morning hour be granted, and the Senate then begin a period of morning business until 2 p.m. with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I further ask that following morning business the Senate resume consideration of the Durbin amendment No. 2438 pending to the tobacco legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ENZI. Mr. President, for the information of all Senators, on Monday, June 1, the Senate will be in a period of morning business until 2 p.m. Following morning business, the Senate will resume consideration of the tobacco legislation, with several amendments still pending. It is hoped that debate on those amendments can be disposed of in a timely fashion, so that other remaining amendments can be offered and debated. However, no votes will occur during Monday's session of the Senate. Any votes ordered with respect to amendments, and the cloture vote on the motion to proceed to the nuclear waste bill, will be postponed to occur on Tuesday, June 2, at a time to be determined by the majority leader but not before 6 p.m.

For the remainder of the week of June 1, the Senate may consider nuclear waste legislation.

Mr. President, I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JUNE 1, 1998

Mr. CHAFEE. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the provisions of S. Con. Res. 98.

There being no objection, the Senate, at 5:27 p.m., adjourned until Monday, June 1, 1998, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate May 22, 1998:

NUCLEAR REGULATORY COMMISSION

GRETA JOY DICUS, OF ARKANSAS, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2003. (RE-APPOINTMENT)

UNITED STATES INTERNATIONAL DEVELOPMENT
COOPERATION AGENCY

HUGH Q. PARMER, OF TEXAS, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE M. DOUGLAS STAFFORD, RESIGNED.

NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

JOAN SPECTER, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2002, VICE PATRICIA ANN BROWN, TERM EXPIRED.

DEPARTMENT OF COMMERCE

AWILDA R. MARQUEZ, OF MARYLAND, TO BE ASSISTANT SECRETARY OF COMMERCE, AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE, VICE LAURI FITZ-PEGADO.

DEPARTMENT OF DEFENSE

LOUIS CALDERA, OF CALIFORNIA, TO BE SECRETARY OF THE ARMY, VICE TOGO DENNIS WEST, JR.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO

THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GARY J. DUNN, 0000
PATRICK M. HERMANSON, 0000
WALTER RIVERA, 0000
MICHAEL C. SULLIVAN, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LONNY R. HADDOX, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN P. MARTINSON, 0000
BRENT A. SMITH, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be lieutenant

JASON T. BALTIMORE, 0000
CHRISTINA M. BENACCI, 0000
FRANK G. BOWMAN, 0000
TERRENCE W. COSTELLO, 0000
SEAN P. HENSELER, 0000
ANGELA S. HOLDER, 0000
TIMOTHY P. JENNINGS, 0000
ADRIAN J. MARENGO-ROWE, 0000
ANTHONY J. MAZZEO, 0000
RYAN MCBRAYNER, 0000
TALLEY E. MCINTRYE, 0000
CHRISTOPHER T. MULLIGAN, 0000
ANDREW J. OSORNO, 0000
MEREDITH L. ROBINSON, 0000
DANIEL P. SHANAHAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DAVID L. GROCHMAL, 0000

To be commander

LOREN D. HARTER, 0000

To be lieutenant commander

JAMES C. EISENZIMMER, 0000
JOEL D. NEWMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12204:

To be captain

RONALD W. HARGRAVES, 0000
BRUCE S. LAVIN, 0000
JANICE L. WALLI, 0000

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

STEPHEN E. PALMER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

GARY L. MURDOCK, 0000

To be lieutenant commander

VICTOR M. OTT, 0000
BRIAN G. WILSON, 0000

THE JUDICIARY

GERALD BRUCE LEE, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA VICE JAMES C. CACHERIS, RETIRED.
PATRICIA A. SEITZ, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA VICE STANLEY MARCUS, ELEVATED.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate May 22, 1998:

DEPARTMENT OF EDUCATION

CYRIL KENT MCGUIRE, OF NEW JERSEY, TO BE ASSISTANT SECRETARY FOR EDUCATIONAL RESEARCH AND IMPROVEMENT, DEPARTMENT OF EDUCATION.

NATIONAL SCIENCE FOUNDATION

RITA R. COLWELL, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION FOR A TERM OF SIX YEARS.

DEPARTMENT OF COMMERCE

PATRICK A. MULLOY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

CENTRAL INTELLIGENCE AGENCY

JOAN AVALYN DEMPSEY, OF VIRGINIA, TO BE DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE FOR COMMUNITY MANAGEMENT.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT F. RAGGIO, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DONALD L. PETERSON, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. DANIEL JAMES, III, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. LEE P. RODGERS, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ARCHIE J. BERBERIAN, II, 0000.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ROGER C. SCHULTZ, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DANIEL C. BALOUGH, 0000.
BRIG. GEN. ROGER L. BRAUTIGAN, 0000.
BRIG. GEN. THOMAS A. VESSELS, 0000.

To be brigadier general

COL. BRUCE A. ADAMS, 0000.
COL. MICHAEL B. BARRETT, 0000.
COL. LOWELL C. DETAMORE, JR., 0000.
COL. KENNETH D. HERBST, 0000.
COL. KENNETH L. PENTTILA, 0000.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. FREDERICK MCCORKLE, 7324.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 5044:

To be general

LT. GEN. TERRENCE R. DAKE, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203: